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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,869	11/20/2003	Becna Somaroo	085804-013100	1478
32361 7590 08/10/2007 GREENBERG TRAUIG, LLP MET LIFE BUILDING 200 PARK AVENUE NEW YORK, NY 10166			EXAMINER TIMBLIN, ROBERT M	
			ART UNIT	PAPER NUMBER
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			08/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/718,869	Applicant(s) SOMAROO ET AL.	
	Examiner Robert M. Timblin	Art Unit 2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action corresponds to application 10/718,869 filed 11/20/2003.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 6/7/2007 has been entered.

Response to Amendment

Claims 1 and 12-15 have been amended and entered. Accordingly, claims 1-15 have been examined and are currently pending in prosecution. The Examiner further wishes to note that the Application number in the heading of the remarks and amendments is understood to be 10/718,869, rather than number 11/718,869.

Claim Rejections - 35 USC § 112

The previous rejections under 35 USC 112 have been removed in light of Applicant's amendments, however, upon further examination, further 35 USC 112 rejections have been identified.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 2167

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 13, 14, and 15 recite the limitation "the user's lead" in the storing step.

There is insufficient antecedent basis for this limitation in the claim. It is herein interpreted that "the user's lead" is the same as a lead to be pursued by the user.

Claim 11 recites the limitation "the step of receiving inquiry data related to an initial inquiry" in the first two lines. There is insufficient antecedent basis for this limitation in the claim, as "an initial inquiry" is no longer mentioned in claim 1.

Claim 15 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Particularly, it is vague and unclear how the lead and action (i.e. 3rd line from the bottom) comprise information. For example, claim 1 (line 9) states that lead and action *records* comprising..., which is inconsistent with claim 15. Claim 15 fails to specify *records* comprising (emphasis added).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-2, 6-8, and 10-15 are rejected under 35 U.S.C. 102(e) as being taught by Joao U.S. Patent 6,662,194 B1. In the following passages and figures, Joao teaches:

With respect to claim 1, A method comprising:

receiving inquiry data (abstract) related to an inquiry (i.e. job search, abstract) of a user (col. 11 line 45-53, i.e. an individual) with a listing service (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100);

creating a lead (col. 4 line 57-60, col. 5 line 20-23, col. 6 line 35-40, i.e. an individuals offer to an employer) to be pursued (col. 23 line 53-67, col. 24 line 1-7) by the user (col. 11 line 45-53, i.e. an individual) using the received inquiry data (abstract);

storing the user's lead (figure 5A) as a lead record (col. 23 line 26-34) in a database (col. 23 line 26-34 and drawing reference 10H);

creating an action record (col. 22 line 63-66) associated with the user's lead (figure 5A) each time an action in furtherance of the user's lead (col. 24 line 22-49; i.e. Joao discloses recording information up to a point of interaction between an individual and employer) is identified;

storing the action record (col. 22 line 63-66) in the database (col. 23 line 26-34 and drawing reference 10H), the lead (col. 23 line 26-34) and action records (col. 22 line 63-66) comprising information to provide the user (col. 11 line 45-53, i.e. an individual) with a status (col. 4 line 57-60) of the user's lead (figure 5A); and

populating an interface (drawing reference 20E) accessible by the user (col. 11 line 45-53, i.e. an individual) with information from the lead and action records (col. 22 line 63-66) and information related to the user's lead (figure 5A) received from one or more ancillary services (col. 22 line 51-53, col. 23 line 5-13).

With respect to claim 2, the method of claim 1, wherein the listing service is a web site having job postings listed thereon (col. 5 line 4-5, col. 29 line 9).

With respect to claim 6, the method of claim 1, wherein the listing service is a web site having auction items listed thereon (col. 32 line 37).

With respect to claim 7, the method of claim 1, wherein the ancillary service is electronic mail (col. 4 line 66).

With respect to claim 8, the method of claim 1, wherein the ancillary service is an advertising system (col. 6 line 29).

With respect to claim 10, the method of claim 1, wherein the ancillary service is a news system (col. 29 line 10-15).

Art Unit: 2167

With respect to claim 11, the method of claim 1, wherein the step of receiving inquiry data related to an initial inquiry of the user with the listing service further comprises:

receiving inquiry data (abstract) from an application operative on a computing device (figure 1) of the user (col. 11 line 45-53, i.e. an individual).

With respect to claim 12, the method of claim 1, wherein the steps of receiving inquiry data related to an inquiry of the user with the listing service and creating a lead to be pursued by the user using the received inquiry data further comprise:

receiving inquiry data (abstract) from a user computer at the listing service (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100);

capturing the inquiry data (abstract) at the listing service (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100);

at the listing service (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100);

making a remote procedure call to access an application programming interface from a listing service (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100) to a tracking system (col. 6 line 36-36) operative with programming to generate a lead record;

transmitting the inquiry data to the tracking system from the listing service (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100); and

Art Unit: 2167

creating a lead (col. 4 line 57-60, col. 5 line 20-23, col. 6 line 35-40, i.e. an individuals offer to an employer) to be pursued (col. 23 line 53-67, col. 24 line 1-7) by the user (col. 11 line 45-53, i.e. an individual) using the received inquiry data (abstract);

With respect to claim 13, A method of tracking a user's lead with a listing service, the method comprising:

receiving inquiry data (abstract) from a user computer (drawing reference 20) at a listing service (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100);

capturing the inquiry data (abstract) at the listing service (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100);

transmitting the inquiry data to the tracking system from the listing service (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100);

creating a lead (col. 4 line 57-60, col. 5 line 20-23, col. 6 line 35-40, i.e. an individuals offer to an employer) to be pursued (col. 23 line 53-67, col. 24 line 1-7) by the user (col. 11 line 45-53, i.e. an individual) using the received inquiry data (abstract);

storing the user's lead as a lead record (col. 6 line 42-44) in a database (drawing reference (10H);

creating an action record (col. 22 line 63-66) associated with the user's lead (figure 5A) each time an action in furtherance of the user's lead (col. 24 line 22-49; i.e. Joao discloses recording information up to a point of interaction between an individual and employer) is identified

storing the action record (col. 22 line 63-66) in the database (col. 23 line 26-34 and drawing reference 10H), the lead (col. 23 line 26-34) and action records (col. 22 line 63-66) comprising information to provide the user (col. 11 line 45-53, i.e. an individual) with a status (col. 4 line 57-60) of the user's lead (figure 5A); and

populating an interface (drawing reference 20E) accessible by the user (col. 11 line 45-53, i.e. an individual) with information from the lead and action records (col. 22 line 63-66) and information related to the user's lead (figure 5A) received from one or more ancillary services (col. 22 line 51-53, col. 23 line 5-13).

With respect to claim 14, A system comprising:

a server system (drawing reference 10) accessible via one or more networks (figure 1) by one or more computing devices (drawing references 20, 30) of a user (drawing reference 20) and capable of communicating with one or more listing services (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100) via one or more of the networks (figure 1);

a database system (drawing reference 10H) in communication with the server system (figures 12-4);

the server system (drawing reference 10) comprising programming (col. 6 line 14-16) to receive data from the listing services (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100), generate a lead to be pursued by the user using the data received from the listing services, and store the user's lead as a lead record in the database system;

wherein the server system further includes programming (col. 6 line 14-16) to generate a user interface (drawing reference 20E) accessible to the user that displays a summary (col. 24 line 22-49; i.e. Joao discloses recording information up to a point of interaction between an individual and employer) of the user's (col. 11 line 45-53, i.e. an individual) lead (col. 23 line 26-34);

wherein the server system further comprises programming (col. 6 line 14-16) to interact with at least one ancillary service system (col. 22 line 51-53, col. 23 line 5-13) and provide information generated or received into the ancillary service system (col. 22 line 51-53, col. 23 line 5-13) to the user (col. 11 line 45-53, i.e. an individual); and

wherein the server system further comprises programming (col. 6 line 14-16) to receive action data (col. 6 line 35-40), generate an action record (col. 22 line 63-66), store the action record (col. 22 line 63-66) in the database system (10H), and provide information about the action record to the user, the lead (col. 23 line 26-34) and action records (col. 22 line 63-66) comprising information to provide the user (col. 11 line 45-53, i.e. an individual) with a status (col. 4 line 57-60) of the user's lead (figure 5A).

With respect to claim 15, A tracking system comprising:

a server-side component (drawing reference 10) operative on a server system (drawing reference 100) capable of communication with a network (figure 1), the server-side component (drawing reference 10) comprising programming to:

receive inquiry data (abstract) related to an inquiry (i.e. job search, abstract) of a user (col. 11 line 45-53, i.e. an individual) with a listing service (col. 12 line 14-15, col. 30 line 38-47 and drawing reference 100);

create a lead (col. 4 line 57-60, col. 5 line 20-23, col. 6 line 35-40, i.e. an individuals offer to an employer) to be pursued (col. 23 line 53-67, col. 24 line 1-7) by the user (col. 11 line 45-53, i.e. an individual) using the received inquiry data (abstract);

generate a user interface (drawing reference 20E) accessible to the user (col. 11 line 45-53, i.e. an individual) that displays a summary (col. 24 line 22-49; i.e. Joao discloses recording information up to a point of interaction between an individual and employer) of the user's (col. 11 line 45-53, i.e. an individual) lead (col. 23 line 26-34);

interact with at least one ancillary service system (col. 22 line 51-53, col. 23 line 5-13) and provide information generated or received into the ancillary service system (col. 22 line 51-53, col. 23 line 5-13) to the user (col. 11 line 45-53, i.e. an individual);
and

generate and store an action record (col. 22 line 63-66), and provide information from the action record to the user (col. 11 line 45-53, i.e. an individual), the lead (col. 23 line 26-34) and action records (col. 22 line 63-66) comprising information to provide the user (col. 11 line 45-53, i.e. an individual) with a status (col. 4 line 57-60) of the user's lead (figure 5A).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Joao as applied to claims 1-2, 6-8, and 10-15 in view of Rinebold et al. ('Rinebold' hereafter) U.S. Patent 6,968,513 B1.

With respect to claim 3, Joao fails to explicitly teach wherein the listing service is a web site having personal ads listed thereon.

Rinebold, however, teaches wherein the listing service is a web site having personal ads listed thereon (abstract, figure 10A-10C, i.e. self postings) to enable on-line users to view business listings.

In the same field of endeavor, (i.e. listing services), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Rinebold would have given Joao an effective way to target users of the system for the benefit of an efficient job search. Rinebold discloses geographic targeting (col. 3 line 62-67) of users for organizing internet information based on geographic categories (col. 5 line 1-5), which Joao could have used to help a user efficiently locate a job (Joao at col. 4 line 42).

Similar claims 4-5 are rejected for the same rationale as the rejection of claim 3, as the web page of (10A) is a site having real estate postings and automobile postings. See also the abstract where Rinebold further teaches a website having classified listings.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Joao as applied to claims 1-2, 6-8, and 10-15 in view of Wilkins et al. ('Wilkins' hereafter) U.S. Patent 6,868,393 B1.

With respect to claim 9 Joao fails to explicitly teach wherein the ancillary service is a road navigation system.

Wilkins, however, teaches wherein the ancillary service is a road navigation system (col. 10, line 56-65) to locate a listing.

In the same field of endeavor, (i.e. listing services), it would have been obvious to one of ordinary skill in the data processing art at the time of the present invention to combine the teachings of the cited references because Wilkins would have given a user of Joao's system an efficient way to better locate a listing (Joao at col. 4 line 42).

Response to Arguments

Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

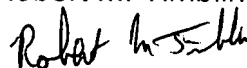
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Timblin whose telephone number is 571-272-5627. The examiner can normally be reached on M-F 8:00-4:30.

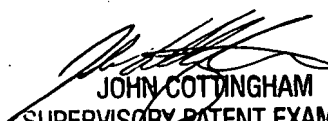
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham can be reached on 571-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Robert M. Timblin



Patent Examiner AU 2167
8/2/2007



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